

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F034277 Sergio A., et al. v. The Superior Court of Kings County; Kings County
Human Services Agencya**

The petitions for extraordinary writ are denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033187 In re Alfonso G., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029932 People v. Guzman, Jr.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F030894 People v. Adams

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F034169 In re Kenneth Gilbert Johnson on Habeas Corpus

The Attorney General is ordered to show cause before the Madera County Superior Court, when the matter is ordered on calendar, why petitioner is not entitled to appropriate relief. Etc. The superior court of the county of Madera is directed to thereafter conduct further proceedings in accordance with CRC, rule 260. Etc.

The petition for writ of habeas corpus is otherwise denied.

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F034622 In re Joseph Zapata on Habeas Corpus

Let a petition for writ of habeas corpus issue directing the Fresno County Clerk, if he receives said notice and request on or before February 29, 2000, to file the notice and request and to treat them as being timely filed. The court is directed to rule upon the request for certificate for probable cause forthwith. Thereafter, the clerk of the court shall proceed with the preparation of the record on appeal in accordance with the applicable rules of the California Rules of Court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031076 People v. Garcia

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F031036 People v. Michel

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F031646 People v. Orellana

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F030253 People v. Williams

The conviction and sentence as to count I is stricken. The sentence imposed for the section 12022.5 enhancement attached to count III is vacated and the case is remanded for resentencing as to this enhancement only. In all other respects, the convictions and sentences as to counts II, III and IV, respectively, are affirmed. The trial court, at the appropriate time, shall see to the preparation and distribution of a correct, amended abstract of judgment. Dibiaso, Acting P.J.

We concur: Wiseman, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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- F031368 People v. Jones**
Appellant's petition for rehearing filed herein is denied.
- F034648 Sarah L. v. Super. Ct. Stanislaus; Stanislaus Co. Community Services Agency**
The petition for extraordinary writ is dismissed as abandoned.
- F030310 People v. Bragas**
The judgment is affirmed with modifications. Buckley, J.
We concur: Ardaiz, P.J.; Levy, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F028811 Vista De Oro Mobile Estates, LLC v. Cenfed Bank, FSB**
The judgment is affirmed. Thaxter, Acting P.J.
We concur: Harris, J.; Buckley, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F030491 People v. Waymire**
We reverse and remand to the trial court to conduct a hearing to determine Donald Waymire's present competence to testify and willingness to waive his privilege against self-incrimination. Should the court determine that Donald Waymire is unavailable to testify due to failure of proof of either of the above conditions, the judgment shall be reinstated and otherwise affirmed. If the court finds that he is both competent to testify and waives his privilege against self-incrimination, defendant is entitled to a new trial. Vartabedian, J.
I concur: Levy, J.
I dissent: Dibiaso, Acting P.J.
(See dissenting opinion)
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F032548 People v. Shotwell**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F033891** **People v. Owen**
F034894 **In re David Paul Owen on Habeas Corpus**
Appellant's motion to consolidate the above-entitled cases is granted.
- F031499** **People v. Bradford**
The judgment is affirmed. Dibiaso, Acting P.J.
We concur: Harris, J.; Wiseman, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F031119** **People v. Abramson**
The judgment is affirmed. Buckley, J.
We concur: Dibiaso, Acting P.J.; Vartabedian, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F027339** **People v. Munoz**
The judgment is affirmed. Wiseman, J.
We concur: Dibiaso, Acting P.J.; Levy, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F034099** **Tony R. v. Superior Court, Fresno; Department of Children & Family Services**
The petition for extraordinary writ is denied.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F031402** **Stidham v. Baker**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.
- F033413** **In re Phillip F. et al., Minors**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F031120 People v. Baxter

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F031661 E. L. Koronko, et al. v. Waddelow

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F028966 People v. Calhoun

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.